

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROBERT HOLMES, III,

Plaintiff,

vs.

METROPOLITAN POLICE
DEPARTMENT, et al.

Defendants.

Case No. 2:13-cv-00877-APG-GWF

ORDER

Motion of Service for Six (6)
Defendants by USM-285 (#51)

This matter is before the Court on Plaintiff's Motion of Service for Six Defendants by USM-285 (#51) filed on August 13, 2014.

Plaintiff filed a Motion for Service (#51), however, he did not request that the Court order service on any of the unserved Defendants. Instead, it appears to the Court that Plaintiff intended to file this document as a status report. In his motion, Plaintiff indicated that the U.S. Marshals executed service on Defendants Kelly & Sullivan, Ltd., Las Vegas Metropolitan Police Department ("LVMPD"), LVMPD Tourist and Safety Unit, and U.S. Immigration and Customs Enforcement. *See Dkt. #51*. Plaintiff indicated that the U.S. Marshals were unable to execute service on Defendant S. Sampilo because he was promoted and now resides in the Philippines, on Defendant J. Kramarczyk because he is now deceased, and on Defendant Julie Holl (P#6004) because LVMPD did not have records indicating Ms. Holl was employed by the department. *Id.* Plaintiff further indicated, however, that he spoke with the U.S. Marshals and they would attempt to re-serve Defendant Holl using her employee "P" number. Plaintiff also indicated that he was still waiting for return of service on Defendant B. Fulmer.

1 Finding no specific request for Court action, the Court will consider Plaintiff's motion a
2 status report and a request for the U.S. Marshals to provide a status update on the two defendants
3 pending service. Because Plaintiff has been diligent in effecting service on the Defendants and
4 proof of service is due by September 7, 2014, the Court will respectfully order that the U.S.
5 Marshals Service file a status update of the service on Defendant B. Fulmer and the re-attempted
6 service on Defendant Julie Holl (P#6004) by September 1, 2014. Accordingly,

7 **IT IS HEREBY ORDERED** that Plaintiff's Motion of Service for Six Defendants by
8 USM-285 (#51) is **granted** to the extent that the Court will respectfully request that the U.S.
9 Marshals file a status update prior to the September 7, 2014 deadline.

10 **IT IS FURTHER ORDERED** that the United States Marshal Service, District of
11 Nevada, shall file a status report with the Court by **September 1, 2014**, regarding the status of
12 service on Defendant B. Fulmer and the re-attempted service on Defendant Julie Holl (P#6004)

13 **IT IS FURTHER ORDERED** that the Clerk of the Court shall deliver a copy of this
14 order to the U.S. Marshal Service, District of Nevada.

15 DATED this 18th day of August, 2014.

16
17 
18 GEORGE FOLEY, JR.
19 United States Magistrate Judge
20
21
22
23
24
25
26
27
28